

01-09-06

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Vicky M. Kunold
Title: DEVICE FOR CLOSING BAGS
Serial No.: 10/617,558
Filing Date: 10 July 2003
Examiner/Unit: Ruth C. Rodriguez/3677
Attorney Docket No.: 2463-001-03

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this communication, and any document being attached hereto,

is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail addressed to: MS Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450
on this 6th day of January 2006.



Stephanie Cox

RESPONSE TO OFFICE COMMUNICATION

06 January 2006

TO THE COMMISSIONER FOR PATENTS:

In response to the office communication mailed 06 December 2005, the applicant's attorney files a continuation application that claims priority from this application.

The applicant's attorney respectfully disagrees with the examiner's conclusion that the method claims 3 – 11, first presented in the response dated 05 October 2005 and then presented in the continuation application referenced in the paragraph above, should be restricted from prosecution in the present application. And thus, respectfully disagrees with examiner's refusal to examine the method claims 3 – 11 in this application. Consequently,

the examiner's attorney asserts that the examiner should examine the method claims 3 – 11 in this application.

In the event an additional fee is due for this response, you are hereby authorized to charge such payment to Deposit Account No. 07-1897.

If the Examiner believes that a phone interview would be helpful, he is respectfully requested to contact the applicants' attorney, John M. Janeway, at (425) 455-5575.

DATED this 6th day of January 2006.

Respectfully submitted,

GRAYBEAL JACKSON HALEY LLP

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